

Remarks

This Amendment is being filed in response to the Office Action mailed April 16, 2004. Claims 1-20 are pending. Claims 1, 10, 15 and 20 have been amended. Claims 2, 11 and 16 have been canceled without prejudice.

The Examiner has failed to acknowledge applicant's claim for foreign priority based on Japanese Patent Application 2000-360208 and has failed to acknowledge receipt of a certified copy of the application. This claim was made and a certified copy of the application was filed in the U.S. Patent and Trademark Office on February 20, 2002. The Office Action issued in the application on April 16, 2004 failed to acknowledge applicant's claim for priority and the receipt of applicant's priority document. Applicant thus filed a Request to Acknowledge Claim for Priority and Filing of Priority Documents on May 4, 2004, together with a copy of applicant's transmittal letter, the face page of the priority document and applicant's return postcard confirming receipt of these materials in the mail room of the USPTO on February 20, 2002. The Examiner is requested to provide written acknowledgement of applicant's priority claim and the filing of the priority document.

The Examiner has rejected applicant's claims 1-3, 5-12, 14-17, 19 and 20 under 35 U.S.C. § 102(e) as being anticipated by Peachey-Kountz et al. (U.S. Patent No. 6,463,345). Applicant's claims 4, 13 and 18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Peachey-Kountz et al.

Applicant's independent claims 1, 10, 15 and 20 have been amended, and with respect to such claims, as amended, and their respective dependent claims, the Examiner's rejections are respectfully traversed. The present invention relates to management of the acceptance of orders by supplying commodities appropriately in accordance with each of a number of

customers. More particularly, claims 1, 10, 15 and 20 are directed to an order-acceptance management apparatus, method, storage medium and computer program for assigning rank to an orderer and implementing acceptance of an order for a commodity in accordance with the rank, including acquiring inventory information and determining whether an order can be accepted, based on the inventory information, if the order has been issued. Claims 1, 10, 15 and 20 have each been amended to more clearly recite that a determination means or step determines that the issued order is accepted and the number of units of a commodity in stock stored in the storage means is replaced with a number that is difference value between the number of units of a commodity in stock and the number of the issued order if the number of commodity that belongs to a first group corresponding to a first rank assigned to the orderer is not less than the number of issued order.

For example, according to the present invention, if the rank of an orderer is X, an order is issued for the quantity 10, and the number of units of a commodity in stock that belongs to a group corresponding to the rank X is 12, the issued order is accepted because the number of units of the commodity in stock is not less than the quantity ordered (Application page 15, line 7 - page 16, line 5). The number of units of the commodity in stock stored in the storage means (12) is then replaced with the number (2), which is the difference between the number of units of the commodity in stock (12) and the quantity ordered (10), as described on page 18, line 16 to page 19, line 3 of applicant's specification.

Claims 1, 10, 15 and 20 have each been further amended to recite that the determination means or step determines that the issued order is not accepted and determines whether the commodity that belongs to a second group corresponding to a second rank lower than the first rank is in stock without acceptance of an order of the first group if the number of

commodity that belongs to the first group corresponding to the first rank assigned to the orderer is less than the number of issued order.

For example, if the rank of an orderer is X, a quantity ordered is 10, and the number of units of a commodity in stock that belongs to a group corresponding to the rank X is 9, the issued order is not accepted because the number of units of a commodity in stock is less than the quantity ordered (page 15, line 7 - page 16, line 5). According to the present invention, it is then determined whether the commodity that belongs to a second group corresponding to a second rank Y lower than the first rank X is in stock. If the quantity ordered (in this example, 10) is less than the number of units of a commodity in stock that belongs to a group corresponding to a rank Y, the order may be accepted (page 16, line 6 - page 17, line 2).

In the above-described situation, the issued order from the rank Y is accepted without acceptance of an order from the rank X. The number of units of a commodity in stock for a group corresponding to the rank X is not changed, while the number of units of a commodity in stock for a group corresponding to the rank Y may be changed (page 18, line 16 - page 19, line 3).

The structure of the present invention ensures that acceptance of an order for a commodity is performed in accordance with rank assigned to the orderer, with preferential treatment of a high-ranked orderer, while eliminating unfair treatment of lower-ranked customers.

Peachey-Kountz et al. teach an ATP system in which a number of units of a commodity is allocated among Forecast Groups 1 and 2 for priority of customers and in periods 1 to 5 (allocation table 62 in Fig. 2; col. 4, lines 45-55). According to Peachey-Kountz et al., the quantity ordered is allocated among the periods in the same group if the

quantity ordered is greater than the number of units in an ordered period and a group to which the customer belongs (tables 64 and 66, Fig. 2; col. 5, lines 1-10). Supply is reserved for higher-ranking customers by making supply allocated for Forecast Group 1 unavailable for orders from customers of Group 2. Moreover, Peachey-Kountz et al. state at column 10, lines 40-45, that "[i]n a preferred embodiment system, the new order is netted out from the supply identified for the customer, first from the currently available supply, supply for the current and, then, prior periods . . . [and if] more supply is still required, other customers' currently available supply is used to fill the order, i.e., from other customers with the same or lower priority." (emphasis added).

Thus, in the system of the Peachey-Kountz et al. patent the orders are always accepted and filled to the extent of the supply available first to the customer and then to other customers of the same priority or lower priority. Therefore, Peachey-Kountz et al. do not teach or suggest determination means that determines not to accept the issued order and that determines whether the commodity that belongs to a second group corresponding to a second rank lower than the first rank is in stock without acceptance of an order of the first group if the number of commodity that belongs to the first group corresponding to the first rank assigned to the orderer is less than the number of issued order, as required by applicant's amended independent claims 1, 10, 15 and 20.

Applicant's amended independent claims 1, 10, 15 and 20 and their respective dependent claims, all of which recite one or more of the above features, thus patentably distinguish over the Peachey-Kountz et al. patent.

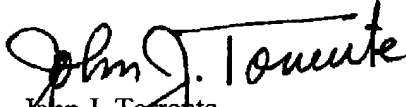
In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is

respectfully requested. If the Examiner believes an interview would expedite consideration of this Amendment or of the application, a request is made that the Examiner telephone applicant's counsel at (212) 682-9640.

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